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Gender-Based Violence in Punjab: An Analysis of Punjab Protection of Women against Violence Act, 2016

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Abstract

Pakistan still has a patriarchal and feudal social structure where women face violence and discrimination for being women in every sphere of their lives. Over the decades, to reduce the violence and discrimination against women, the government have taken several legislative measures to ensure an improved and equal status for women, but the situation has not been much improved. It is argued that the underlying reason lies in the lack of will at the implementation stage, where male-dominated government institutions support the patriarchal structures. However, the government of Punjab took legislative measures, in the form of the Punjab Protection of Women against Violence Act (PPWVA) 2016, to protect women from violence and abuse, and to provide justice. The objective of this study is to analyse the situation of violence against women in Punjab and examine the formulation and implementation process of legislation in Punjab for the protection of women against violence, and suggest recommendations for effective implementation of the law.

Keywords: Culture, Legislation, Protection, Patriarchal, Violence.

تلخیص

پاکستان میں اب بھی پدرانہ اور جاگیردارانہ نظام موجود ہےجہاں خواتین کو زندگی کے ہر شعبہ میں عورت ہونے کی وجہ تشدد اور امتیازی سلوک کا سامنا کرناپڑتا ہے. دہائیوں سے، خواتین کے خلاف تشدد اور امتیازی سلوک کم کرنے کے خواتین کے لیےیقینی بہتر اور مساوی حیثیت کو بنانے کے لیے حکومت نے متعدد قانون سازی کےاقدامات کیے ہیں لیکن صور تحال زیادہ بہتر نہیں ہوئی. یہ استدلال کیاجاتاہے کہ اس کی بنیادی وجہ قوانین پر عمل درآمدنہ کیاجاتاہے جہاں پر مرد کی بالادستی والے سرکاری ادارےپدرانہ ڈھانچے کی حمایت کرتےہیں تاہم،حکومت پنجاب نےخواتین کوتشدد اوربدسلوکی سےبچانے اورانصاف کی فراہمی کےلیے، پنجاب پروٹیکشن آف ویمن اگینٹس وائلنس ایکٹ2016متعارف کروایا- اس تحقیقی مطالعہ کا مقصد پنجاب میں خواتین کے خلاف تشدد کی صورتحال کا تجزیہ کرنا،ان کےتحفظ کے لیے پنجاب میں قانون سازی اور اس پر عمل درآمدکے عمل کا جائزہ لینا اور قانون کے موثرنفاذ کے لیے سفارشات تجویز کرنا ہے-

کلیدی الفاظ: ثقافت، قانون سازی، تحفظ، پدرانہ، تشدد

Introduction

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Violence against women (VAW), internationally called Gender-Based Violence (GBV), has significantly increased and is considered to be a global pandemic. Worldwide, approximately 736 million women are being subjected to various types of violence, which creates a negative effect on their well-being and undermines their ability to actively participate in societal affairs. Violence not only affects women; it also impacts on the family, community and the country as a whole. Globally, 155 countries have passed legislation against domestic violence, but challenges remain in place in the form of law enforcement and access to safety and justice (WHO, 2021). VAW became a centre of international consideration in the 1990s when some conventions and international conferences were organised, protocols were signed, and in 1993 even the UN General Assembly passed a resolution for the elimination of VAW and women's organisations launched a campaign around the world to end VAW (Mehta, 2004). VAW is pronounced by the United Nations (1993) as:

> …*"any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."*

Empirical evidence presents a gloomy picture in different parts of the world concerned with VAW. It is prevalent in almost every country regardless of age, gender, status or religion. Women in European countries and the United States are not safe from violence either. One in four women have experienced physical and sexual violence; in the United States, 23.2% of women have experienced severe physical violence (NCADV, 2020); in Europe, nearly 28% of women have experienced harassment and violence; 30% to 35% of women are often a victim of violence by family members and suffer its psychological effects. Around 68% of incidents of violence are not reported to the police by women (FRA, 2021). In the South Asian region, VAW is not taken seriously as an issue of human right, and one of every two women faces violence in her daily life. Gender discriminatory practices are common here. Despite the legislative safeguards, women are not free from violence. Legislative and constitutional protection is undermined by the misogynistic culture (Mehta, 2004).

Similarly, in Pakistan, VAW is considered to be a generally accepted social norm, but is also a crime by law. On the one hand, we have a constitutional guarantee, some progressive legislation and signed international treaties, and on the other hand, the lack of implementation of the counter-measures make these laws ineffective (Malkani, 2020). According to the Constitution of Pakistan (1973) Article 3, amended in 2010, removes

the exploitation and discriminatory practices and states: *"The State shall ensure the elimination of all forms of exploitation and the gradual fulfilment of the fundamental principle, from each according to his ability, to each according to his work."* Article 25(2) ensures: *"There shall be no discrimination on the basis of sex"*. Article 25(3) states: "*…nothing in this Article shall prevent the State from making any special provision for the protection of women and children"*.

The Government of Pakistan has passed a number of legislations at national level for the protection and empowerment of women, but it has been a decade since these legislations were passed (Murshid & Critelli, 2017). Some important legislations at a national level are the Protection of Women Act (2006); the revision of the Hudood Ordinance; the Protection against Harassment of Women at the Workplace, 2010; the Criminal Law Act (Second Amendment, 2011), referred to as the Acid Control and Acid Crime Prevention Act; the Criminal Law Act (Third Amendment, 2011), referred to as the Prevention of Anti-Women Practices; the Enforcement of Women's Ownership Rights Act, 2012; the Domestic Violence (Prevention and Protection) Act, 2012; and the National Commission on the Status of Women Act, 2012. Some recently passed laws are the Anti-Rape Ordinance, 2020, the Zainab Alert Act, 2020, and the enforcement of the Women's Property Rights Act, 2020.

Despite all these measures, thousands of women become victims of violence every day. According to the National Institution of Population Studies (2019), 24.8 % of females 15-49 years of age face physical and sexual violence in Pakistan at least once in their life. During the period 2011 to 2017, approximately 51,241 cases of violence against women were reported, and this figure has grown day by day. Pakistan is among the top six unsafe countries in the world for women (Editorial, 2020).

According to the global gender gap index (2020), Pakistan's global and regional positions are 151 out of 153, and 7 out of 7 countries respectively. This report measures the progress of any country concerning empowerment, health and survival, educational achievement, and economic participation. Pakistan needs to improve its ranking and minimise the gender base gap. The Global Gender Gap Index (2021) pointed out that the gender disparity gap had widened in Pakistan compared to 2020. At the regional level, Pakistan's position is the same as in 2020 (figure 1). It has been assumed that existing gender disparities may have increased due to the Covid-19 pandemic (Ahmed, 2021).

Gender Gap Ranking in South Asia



South Asia

Country	Rank		Score
	Regional	Global	
Bangladesh	1	65	0.719
Nepal	2	106	0.683
Sri Lanka	3	116	0.670
Maldives	4	128	0.642
Bhutan	5	130	0.639
India	6	140	0.625
Pakistan	7	153	0.556
Afghanistan*	8	156	0.444

Figure-1: Source: Global Gender Gap Report, 2021

Despite the efforts taken at all levels, women are still a vulnerable segment of society because VAW is rooted in Pakistan's patriarchal social set up in which women have subordinate positions because of the imbalanced gender relations which always favour the men. Patriarchy was challenged and weakened when women entered the public sphere. However, patriarchal control over women restricts their mobility and leads to gender segregation. In Pakistan, family honour is always linked to the females and the man is considered to safeguard it (Moghadam, 1992). Due to the social and cultural norms and patriarchal mindset in Pakistan, the government face difficulties in accurately implementing the laws for women's development. Over the past few years, patriarchal norms, abuse of power and gender inequalities have risen, causing further VAW. The increase in the cases of VAW has marginalised women (Khan, 2021).

Review of Literature

Women in Pakistan have limited privileges, especially regarding the situation of women's rights in rural areas, which is alarming. Women who live in urban areas belong to the upper and middle class and are in a much better position. Ashraf, Ibrar and Ashraf's (2017) study focused on the Bahawalpur division of South Punjab, where women face discrimination on a social and cultural basis. Bahawalpur is an underdeveloped and backward division where women become the victims of multiple forms of violence, and honour killing, acid throwing, physical abuse, rape and domestic violence are common. Qaisrani, Liaquat and Khokhar (2016) analysed the circumstances in Punjab and Sindh, where the cultural, social, religious, economic and institutional factors are involved in the abuse against women.

Babur (2007) highlighted that VAW affects women's health, disrupts their lives, indirectly erodes their self-confidence and hinders their ability to participate in the development of society, because violence narrows the options in all their spheres of life. The acts of violence could be direct or structural. When violence is done in person, in the

social spaces set by individuals or in groups, it is called direct violence, but structural violence deprives women of their basic necessities and rights to life that is not acceptable (Babur, 2007). According to WHO reports (1997 & 2013), VAW is harmful to outbursts in inequalities in society and affects the whole family. Girls who witness violence in the home by male family members are more likely to accept violence in their own married life, and boys adopt the same violent behaviour in their futures as fathers and husbands.

Qureshi (2013) research shows that VAW is an issue of human rights and the systematic abuse of women's rights as a consequence creates mental, physical, reproductive and sexual health problems for women. It prevents women from fully enjoying their human rights (Azhar et al., 2012). Violence by an intimate partner, whether emotional, economic or household decision-making, gives husbands the power to control their wives, and wife-beating is common in Pakistan (Murshid & Critelli, 2017). Other factors contributing to VAW are drug addiction; a misconception of Islamic teaching about men's rights over women; illiteracy; the possessive nature of men regarding women; and the behaviour and language of women that hurts the ego of men (Ghani, 2016). Johnson (1995) described male control over a partner as through the power and control wheel (figure 4). The male shows his abusive attitude towards women in various forms: embarrassing women in public places, checking up on their activities; disrespecting their family; ignoring their behaviour; and threatening to take their children away.



Figure-2: Source: (Johnson, 1995)

Both extrinsic and intrinsic factors were explained by Ali and Irma (2008) in the context of VAW. Culture, religion, society and the environment are the extrinsic factors of VAW that are outside the person and are dominant in Pakistan's culture. If a woman is more educated and becomes employed, then the male would want to stop or limit her growth and progress and he will play a strict role, exploiting her weaknesses using multiple tactics, including violence, to establish his supremacy over her. Personal characteristics such as education, income, age, personality, and acceptance of violence are the intrinsic factors in VAW. Younger women are more vulnerable to violence from an intimate partner, but in the context of domestic violence in Pakistan, age does not matter. Less-educated women are beaten more by their husbands compared to women whose education levels are equal or exceed their husband's. Personality problems such as behaviour, attachment, dependency and mental health issues may also result in violence. Elders and parents are always considered to be the role models for children in Pakistani culture, who observe, learn and follow them. If a parent or husband beats his daughter or wife, then his son will copy him and beat his own daughter or wife. This is also a determinant factor of violence. This phenomenon is called modelling. Another important factor in making a situation violent is lack of income or poverty (Khurram, 2017). Gender equality cannot be achieved in those countries where VAW is high and a patriarchal mindset exists (Babur, 2007). However, different human rights groups and organisations are working in Pakistan focusing on legal and constitutional rights, violence and the political representation of women; more work is needed, however, to change the patriarchal and social norms using individual and collective efforts (Murshid & Critelli, 2017).

Research Objective

This research paper opens the discussion on the Punjab Protection of Women against Violence Act (PPWVA) that was approved by the Punjab Assembly on 24 February, 2016. The objective of this study is to analyse the formulation and implementation process of the PPWVA 2016, using the public policy approach. This research discusses the preparatory stage of this bill in Punjab, and elaborate its implementation process, resulting in having some recommendations for the policymakers.

Research Questions

What were the circumstances that led to the Punjab Protection of Women against Violence Act (PPWVA) 2016? What mechanisms were adopted to implement this Act and how did this Act successfully achieve its objectives?

Method and Procedure

To address the aforementioned questions, this qualitative research is based in an interpretive framework. This study uses an interpretive approach to policy analysis which

acknowledges the utility of qualitative data in understanding the social construction of reality. The significance of the text involves the interpretive understanding of the individual concept in the cultural and social context. People observe reality and understand the particular phenomenon in the wider social system. This qualitative research analyses, collects and interprets the narrative and data. Qualitative research views the situation and meaning in the diverse perspectives (Burnham, et al., 2008; Gay, Mill & Airasian, 2012).

Since this study analyses the policy document the "Punjab Protection of Women against Violence Act, 2016", its data relies on primary and secondary sources. Data has been gathered from research reports, media statements of government representatives/officials, women's rights activists, newspapers and articles. When the PPWVA was passed by the Punjab Provincial Assembly, this was discussed in detail via both printed and electronic media. Different stakeholders released their statements and were interviewed on the newly passed law by the media. Interview data, politicians' statements, government representatives and women's rights activists are all quoted in the discussion section of this research, and have been taken from national English newspapers such as Dawn, The Express Tribune, The News and The Nation, and are available online.

Theoretical Framework

Public policy is the source through which a government upholds order for the requirements of its citizens; its aim is to provide solutions to communal problems. Public policy involves all the laws, regulations, and other programs established by the state in order to have a better method for solving problems (Anyebe, 2018). The PPWVA, 2016, passed in the Punjab Assembly (a government legislative institute where representatives pass policies for the benefit of the public). This study follows the (BirkIand, 2011; Knill & Tosun, 2008) stages of the policy process (figure 3) throughout the analysis of PPWVA, 2016.

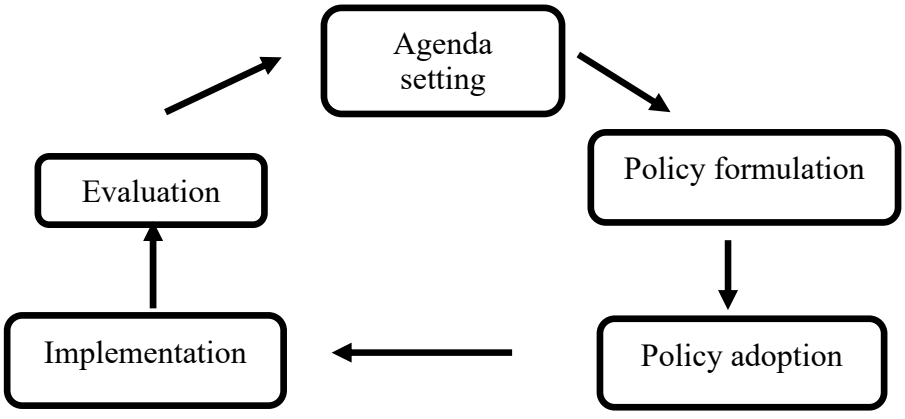


Figure-3: Stages of Policy Process (BirkIand, 2011; Knill & Tosun, 2008)

Policy making is a process model, often called the policy cycle. The policy process is a series of five political activities (figure 3). This policy process begins with social problems and places them on the policy agenda; subsequently, the policy drafts are formulated and one is adopted. Next, action is taken on the adopted policy and finally, its impact is evaluated. This last stage leads back to the first, and indicates that the policy cycle is unending and will continue (Knill & Tosun, 2008).

The use of this policy process model in this research will help to understand the different stages of the Punjab Protection of Violence against Women Act, 2016. With regards to policies towards women in Pakistan, the roles of women activists, NGOs (Non-Governmental Organisations) and civil society are important because these actors are in a much better position and are closer to the real societal problems than the policy makers and bureaucrats, who do not have sufficient understanding and access within the community.

Discussion and Analysis

Since the 18th Constitutional Amendment, adopted in 2010, women's development has been the responsibility of the provinces. Now provincial governments are responsible for the legislation to provide safeguards and the empowerment of women (Murshid & Critelli, 2017). Keeping this in consideration, provincial assemblies focus on legislative measures for the emancipation of women and the elimination of VAW. As such, in 2015 the Punjab Assembly approved an amendment in the Marriage Restraint Act, an amendment in the Protection against Harassment in the Workplace Act, 2012, the Punjab Protection of Women against Violence Act (PPWVA) 2016, and in 2017, the Protection Authority Act for Women became part of legislation (Parveen, 2021).

All the laws are important in their place, but a significant step has been taken by passing the Punjab Protection of Women against Violence Act (PPWVA) 2016, to counter the VAW. According to the national census (2017), Punjab is the most populated province, having a population of 110,012,442, of which 54,046,759 (49%) are female. The highest incidents of VAW have been reported in Punjab including acid throwing, honour killing, domestic violence, *vatta satta* and child marriages (Khan, 2019). 57% of VAW cases are reported from Punjab and this number is the highest when compared to other provinces in Pakistan. During Covid-19, it has been seen that domestic violence increased 25% across Punjab (Warraich, 2020). The figure below shows the highest numbers of reported cases of abduction, following murder and rape.

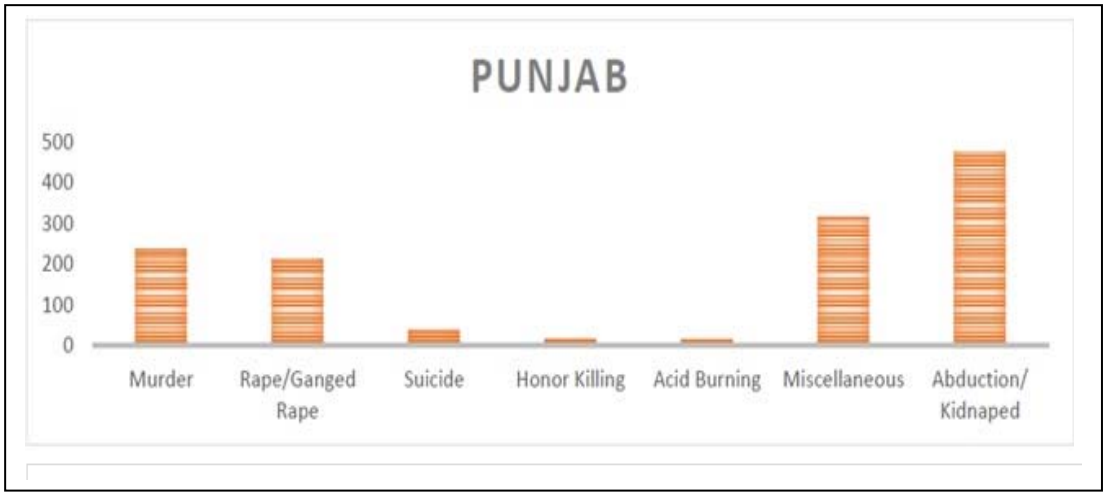


Figure-4: Source: Aurat Foundation report (2021)

The statistics in the table below show the position of each province in VAW. It is a matter of deep concern for Punjab, whose percentage is high, and shows how vulnerable the women are here.

Type of violence	Punjab %	Sindh %	KPK %	Balochistan %	G-B %
Domestic violence, forced marriage, child marriage, dowry	46	31	6	3	14
Murder	57	14	17	4	8
Rape	64	22	10	2	2
Suicide	33	17	30	1	19
Acid throwing	82	12	6	0	0
Honour killing	18	41	25	2	14
Abduction	48	46	2	2	2

Table 1: Data is collected from Aurat Foundation report (2021) and compiled by author

VAW is identified as a social and public problem in Pakistan, and the state needs to intervene. Due to the increased ratio of VAW, it became the focus of attention by legislators and executives. VAW was chosen by the decision-makers and included on the policy agenda for discussion.

Hence, the deteriorating condition of women in Punjab forced NGOs and social activists to approach the government to initiate legislation for the protection of women, and it is the responsibility of the state to play its role to protect them from violence (Hassan & Farooq, 2016). While giving an interview to the Council of Foreign Relations (2016),

Salman Sufi, Head of the Chief Minister's Special Monitoring Unit (SMU), highlighted the prevalent rate of VAW in Punjab and criticised the existing legal system in these words:

> *"Pakistani legal code already covers a lot of offenses, but there was no mechanism that specifically catered to violence against women. There was a loophole that people took advantage of – when they went to police stations, they were told that acts of violence against women were domestic issue that should be taken care of in the home. With the bill, we wanted to make sure that we offered some civil remedies to violence, and remedies to address assault even before it happens - if there is solid evidence that violence may occur, a woman needs protection and support from the government."*

Salman Sufi was associated with the Chief Minister's Strategic Reform Unit (SRU) and undertook voluntarily work as a senior member for the Special Monitoring Unit (SMU) to implement various reforms in the different fields, especially for the empowerment of women. He also led the SRU to take the initiative to draft chapters on gender sensitisation in class nine and twelve textbooks (Dawn, 2018).

Keeping track of the whole situation in Punjab, the provincial government decided to pass the Punjab Protection of Women against Violence Act 2016, which was meant to support women by providing them with efficient mechanisms to redress their issues at district level. It was difficult to get the provincial assembly to pass the bill. After a long struggle the PPWVA 2016 was approved by the provincial cabinet in 2015, but it could not be passed by the provincial assembly because some objections were raised by its members. Finally, the PML (N) government in Punjab, despite being a centre-right party, took the bold and historic initiative to pass the PPWVA, 2016. The bill was unanimously passed by the Punjab provincial assembly to end all criminalities against women. The bill was drafted by the Chief Minister's Law and Order wing of the Special Monitoring Unit (SMU) with the collaboration of the concerned departments and civil society (Khan, 2016; Hanif, 2016). During this policy formulation stage, there was thorough discussion on policy instruments and policy objectives, as defined by policy makers. Further, the policy was adopted via the approval of the provincial assembly.

Various segments of society played a positive role in the drafting of the bill. Official and unofficial policy makers (NGOs, civil society, women activists) were involved in formulating the legislation. They not only initiated and formulated the policies but were also involved in the implication and evaluation process (Popoola, 2016). Osman (2002) highlighted the positive role of civil society, politicians and other socio-political actors who had played an important role in identifying socio-cultural problems that discriminate against women. It was due to their proactive role that these issues were placed on the policy agenda and the necessary actions in this regard were suggested.

The enactment of PPWVA repudiates the belief that domestic violence is a private matter; rather it is a matter of public concern. The Act protects women from all kinds of violence such as domestic violence, mental torture, emotional and verbal abuse, economic abuse, stalking, and cyber-crimes. The important feature of this law was the criminalisation of all forms of violence against women and removal of the bureaucratic hurdles to accessing justice (Rassool & Sardar, 2021).

Under the act, it was promised that complaint centres would be set up with the help of the Punjab social welfare department, district administration, and the police, in each district. A universal toll-free, dial-in-number (UAN) to help women was set up to ensure a quick response to a victim's call, and for reconciliation between the parties. The act further guaranteed free medical and psychological treatment as well as legal assistance to bring the offender and culprit to book. To achieve the objective as part of PPWVA, 2016 an awareness campaign was launched in national and local languages via the media (PPWVA, 2016).

PPWVA is comprehensive and focuses on various types of violence such as cyber violence, psychological abuse, sexual violence and economic abuse, while previous legislation was only focused on domestic violence. Three implementation mechanisms are introduced in this act: first, civil remedies from a family court will issue a protection order and a GPS ankle device will be provided to the perpetrator; second, a residence order will be given out when a woman is kicked out of her house - the government will provide shelter for her; lastly, if anyone takes wages away from working women then a monetary order will be issued to assist her. The husband thinks that it is his right to take women's earnings - a court can now issue an order that a woman's income belongs to her (Council on Foreign Relations, 2016).

Concerning legislation regarding VAW, the Punjab was not the first province to initiate a bill for the protection of women - the first domestic violence bill was passed by the national parliament in 2012. Subsequently, it has been passed in the Sindh, Balochistan and KPK assemblies in 2013, 2014 and 2021 respectively. Ultimately, the pressure built up on the government of Punjab to initiate the bill. Now, all the provinces in Pakistan are equipped with legislation to protect women from violence (Dawn, 2021; Rassool & Sardar, 2021). According to the General Secretary of Human Rights Commission of Pakistan, I. A. Rehman: *"It is usually the Punjab that sets legislative trends ... in this case they have lagged behind."*

According to Hassan and Farooq (2016), every day almost 60 women are subjected to violence in Punjab, and most of the cases are domestic violence. Violence against women is condemned by all sectors of society, including most of the religious parties who acknowledge that the ill-treatment and domestic violence that women face should end.

Although they are in favour of supporting the women's rights laws when PPWVA was passed, a mixed response was shown by the religious parties. Some religious parties, belonging to different schools of thought, rejected certain clauses, with concerns that it would lead to breaking up the family system and calling it a conspiracy to make Pakistan a secular state (Ali, 2016), while a number of clerics and members of some political parties, who always put down women, rejected PPWVA, stating it was against the teaching of Islam and considering it to be the promotion of obscenity. They also expressed their concern that the divorce rate would increase because of this law (Hassan & Farooq, 2016; Khan, 2016). According to Hassan and Farooq (2016), the General Secretary of Jammat Islami, Liaquat Baloch, showed his reservations in this way: *"The bill states that women can force their husbands out of the house on the basis of an argument or dispute. This will lead to the weakening of relationships. Family system will not survive when male face humiliation."* But PML (N) assembly member, Uzma Bukhari, stated that some clauses of the bill had been misinterpreted (Hassan & Farooq, 2016) and she explained:

> *"The bill states that if a man tortures a woman he will have a choice to either leave the house or to stay. He won't be able to force his wife out."* She also raised a different point: *"In our society, a woman is tortured and then asked to leave the house. Why should the woman leave?"*

Vice chairperson of the Punjab Bar Council, Farah Ijaz Baig, showed concern about the above clause, and while talking to the media he stated:
"…. If a man tortures his wife, you can't put him in jail. The wife will face problems for the rest of her life because her husband will never forget and forgive his wife for getting him arrested."

Maulana Fazlur Rehman, who is Head of Jamiat Ulema Islam (JUI-F), believes that: "*Family matters will no longer remain private. Matters between a husband and wife should remain in the house, and not be made public."* Religious parties have reservations about some of its clauses and announced that it contradicted the Quran, as well as the constitution of Pakistan. But the clauses of this law are not against the spirit of Islam. Committees in the Punjab Assembly thoroughly discussed this law, and the consent of religious scholars and leaders was also sought (The Express Tribune, 18 March, 2016). The Head of the Council of Islamic Ideology also claimed it was un-Islamic (Aljazeera, 2016) and criticised: *"The clauses in this bill will eventually lead to the break-up of society."*

One of the prominent clauses of this Act which was also under severe criticism was the GPS bracelet, an electronic tracking device that a man wears following a court order if he is found guilty. Men think that the use of a GPS tracker is humiliating and showed their concern about it (Hassan & Farooq, 2016). Liaquat Baloch also expressed his concerns

and stated: *"Making a man wear a bracelet or a 'qara' is the same as humiliating him."* A concern was also raised that ordering a man to leave his house or wear a GPS tracker was just the result of the grave violence committed; in these circumstances the law is placed in the hands of the court. I. A. Rehman said: *"We believe the Act is already lenient, especially because a person who has inflicted violence on another should already have been put in jail"* (The Express Tribune, 18 March, 2016). The table below highlights the myths and realities associated with the PPWVA, 2016.

Myth	Reality
The law is against the male gender.	The words 'aggressor' and 'defendant' are used in the law, not 'husband', 'father' or 'son'.
If private matters are made public, the divorce rate will increase and family systems will be destroyed.	Confidentiality will be the priority and maintained by the mediation committee.
To ask a husband to leave the home for forty-eight hours would humiliate him and is also against Sharia.	It is not true that it is against Sharia.
It is insulting for a man to use a GPS tracking device.	A GPS device is only used in cases of severe violence, by order of a court.

Table-2: Source: (Hassan & Farooq, 2016)

A women's rights NGO South Asia Partnership Pakistan (SAPP) director, Amena Zaman, said: "… *the law should not be made into a religious issue. The law will help to tackle a social problem. Let us keep our religious beliefs away from the issue."* She further said that: "… *the law had been passed by an elected assembly. It was now the responsibility of the government to implement it."* (The Express Tribune, 2016)

A joint action committee (JAC) comprising human rights activists and members of civil society, arranged a rally to support the PPWVA. I. A. Rehman said that:

> *"Every step taken in the country that appeared to favour women, was unfortunately opposed. Since the law was passed in February 2016, it has been criticised by some religious organisations ... they say that it is not in line with Islamic teachings. This is not a religious matter but a legal one"*

The Head of SAPP and women's rights activist, Irfan Mufti, stated, while talking to the media:

> *"… law had been passed by the Provincial Assembly and therefore reflected the will of the people. Those who are opposing the law were not members of the assembly and therefore did not speak for the people of the Punjab. We believe in the supremacy of the Constitution and the parliament."* (The Express Tribune, 18 March, 2016)

As religious parties demanded the removal of some of the controversial clauses and suggested amendments, the PML (N) member of the Punjab Assembly, Rana Sanaullah, stated in an interview with the media: *"Violence against women was a global concern. Attempts to portray a picture of Pakistan not based on reality must be countered through legislative efforts."* He further said: "*… the bill could be amended if the need arose"* (Shaukat, 2016). Some of the organisations opposed the law in order to gain popularity (The Express Tribune, 18 March, 2016). The Executive Director of Simorgh, Neelam Hussain, stated: *"We don't expect the government to buckle under pressure and retract the law because* [if it does so] *the government will lose its legitimacy."*

Analysts put forward an argument on the implementation of this law because any policy is only proved fruitful if implemented well. Policy implementation represented that the new law came into practice. A policy cannot be significant without proper implementation; the success of the policy depends on its executive and bureaucratic structure. After implementation, experts started the evaluation process on the subject, which can also be considered to be feedback. The evaluation process identified the loopholes in the policy (Knill & Tosun, 2008).

Farah Ijaz Baig showed concern over the implementation of the law and stated, *"We might pass new bills every day, but our problem is that we don't implement those new laws. The law isn't weak, its implementation is."* Besides all the above discussion, during the effective implementation process, some other challenges were identified such as shortages of staff and VAWC; the misuse of the Act by women; family pressure for reconciliation; a lack of awareness about their rights; illiteracy; societal mindset; and family honour, etc.

The first VAWC was set up in Multan following the Act and received a record number of cases of violence against women. Salman Sufi told to media that:

> *"… first VAWC has already opened in Multan. It's been operational since March, 2017 and now more centers will open in Lahore, Rawalpindi, Faisalabad, and Gujranwala. So, that women protection authority, which is a separate new department, may just implement the Act properly."*

He further added, *"So far it is implemented well. We have received over 1300 cases just from one district and this number will be much higher when VAWC will open in the other districts."* While addressing a ceremony on International Women's Day, Kaneez Fatima, who is a chairperson of the Punjab Women's Protection Authority, stated that over the next three years, four Violence against Women's centres will be established in Lahore, Faisalabad, Rawalpindi and Bahawalpur, but this project has been delayed because of funding issues. The state of the arts VAWC in Multan provides every facility to women (The Nation, 2020). MOU signed up with the University of Chicago Law School's

International Human Rights Clinic (IHRC) to establish the VAWCs in the different cities of Punjab, because these centres are part of the implementation mechanism of the PPWVA, 2016. These centres will serve as a 'one-stop shop' for women who are the victims of violence, and will provide legal, medical, forensic, first aid, psychological and rehabilitation facilities under one roof. VAWCs will be established in 35 districts of Punjab and in 2016 a pilot centre was established in Multan (Dawn, 2016). Another issue has also been pointed out - of fake cases and misuse of the Act. When filing a false complaint, the victim can face punishment in the form of imprisonment of up to three months in jail, or a significant financial penalty of between Rs 50,000 to Rs 100,000 (PPWVA, 2016).

It is necessary to create awareness among women that the PPWVA provides a guarantee to women that the criminals will be punished for their criminality. Despite all the struggles, patriarchal thinking and culture has still continued in Pakistan for decades, and this is the main hurdle to the implementation of the Act. It is also important to educate the agencies responsible to put the Act into practice, especially in rural areas. However, the political and social environment is not a conducive environment where women can challenge the social taboos and raise their voices to assume their rights (Dawn, 2021).

Recommendations

- There is a need for more coordination among all the departments concerned to successfully achieve its objectives. The slow process of the implementation of this law is not bringing a positive output effectively. The government should play a role to increase the budget for VAWC and speed up the process for fruitful results.
- The GPS tracking bracelet clause is unrealistic and is against our norms. There is a need to properly explain this clause, because so much misperception exists.
- The government should provide training to those who are involved in the implementation of this law.
- The Punjab government and/or concerned departments should clearly interpret the ambiguous clauses of this Act so that uneducated women can also understand the effectiveness of this law.
- The Punjab government should take measures to spread awareness of this law, build more centres in different districts of Punjab, and should not only rely on the centre that is located in Multan.
- Electronic and printed media should play a strong role in the structuring and renovating of ideas to support this vulnerable segment of society. The media should share information about this bill in their programs on a large scale. The government should utilize the media to commence a legal literacy campaign, to inform both genders of their legal rights. There are substantial numbers of people who are inspired by social media; as an agent of socialisation it has a great impact

on viewers of every age. It can play a key role in women's development if they take this matter seriously.

- Due to feminist activism, in recent years women are becoming more vocal and active in proclaiming their rights, given by the constitution as well as religion. Although the government of Punjab is endorsing legislation that would warrant the security of women's rights to some extent, still much needs to be done.
- Education is important to teach males and females to think with a broader perspective and help them to understand their rights and obligations. The government should make it obligatory for both genders to attain education at all levels. It would be a significant step towards the realisation of women's rights and privileges.

Conclusions

Women in Pakistan have had great achievements, winning Oscars awards, flying jets, bringing about medical breakthroughs etc., but they remain vulnerable to violence on the streets, at home and are continuously victims of abuse. Governments have passed ample legislation for women's empowerment, but due to its non-implementation, women are still deprived of their legal rights. Unfortunately, despite the continuous struggle, patriarchal thinking has continued over the years. Women have now found some space, but the destination of legal rights is still far-sighted. Public policies are always designed to achieve certain goals and provide solutions to social problems, but legislation for women's empowerment are not communicated to the bottom, where they are supposed to be implemented.

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